

Central Valley Regional Water Quality Control Board



Instructions for Completing the Timber Harvest Waiver Certification Notice

California Water Code (CWC) Section 13269 authorizes the Central Valley Regional Water Quality Control Board (Regional Water Board) to waive the requirement to submit reports of waste discharge and to obtain waste discharge requirements for a specific type of discharge if the Regional Water Board determines that the waiver is consistent with any applicable water quality control plan and such waiver is in the public interest. On 28 April 2005, the Regional Water Board adopted Resolution No. R5-2005-0052, "Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities" (Waiver). Subject to the conditions set forth in Attachment A of Resolution No. R5-2005-0052, the Regional Water Board waives the requirements for landowners to submit a report of waste discharge and obtain waste discharge requirements for most timber harvest activities (existing or proposed) on nonfederal lands. *No fee is required to apply for or receive a conditional waiver from the Regional Water Board for timber harvest activities.*

The Resolution, Attachment A, Waiver Certification Notice form, and Addendum may be accessed at: http://www.waterboards.ca.gov/centralvalley/water_issues/timber_harvest/

Please provide the following information on the Waiver Certification Notice application.

NOTE: If any of the following items are not provided on the Waiver Certification Notice application form, the Certification Notice will be returned and timber operations must cease until Regional Water Board staff receives a corrected version.

- 1. Plan or Notice Number:** Enter the number of the Timber Harvesting Plan or notice, as assigned by the California Department of Forestry and Fire Protection (CDF).
- 2. Landowner's Contact Information:** The primary responsible party (i.e., "discharger") under California water law is the property owner. Enter the Landowner's name, mailing address and phone number, including area code. If multiple landowners, attach additional pages as necessary.
- 3. Name and Phone Number of Contact Person(s):** List the primary person(s) responsible for on-site operations. Regional Water Board staff will attempt to contact the person(s) prior to conducting on-site compliance inspections.
- 4. Waiver Category:** Check one box for the Waiver Category (as described below) under which you are seeking coverage. A Waiver Addendum form may be attached for use in enrollment under waiver categories 1, 2 and 4 (see instructions below). Whenever a Registered Professional Forester is consulted to provide the required Addendum information, his/her contact information shall be inserted in the space provided at the bottom of the form.

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Category 1: Minor Timber Harvest Activities On Nonfederal Lands

To qualify for this category: (1) The discharger must comply with the 16 eligibility criteria required for Waiver Category 1 (ref: Attachment A, Part II.A.1.b.1-16, pages 4-5); and (2) The Discharger must certify that the timber harvest activities will comply with all general conditions, eligibility criteria and specific conditions for Waiver Category 1 (ref: Attachment A, Part I.B.1-8, pages 3-4, and Part II.A, pages 4-5).

Category 2: Exempt Or Emergency Timber Harvest Activities On Nonfederal Lands That Do Not Qualify For Waiver Under Category 1

To qualify for this category: (1) A Notice of Exemption or Notice of Emergency must be accepted and given a number by CDF; and (2) A Registered Professional Forester must have conducted a comprehensive field review and identified any additional practices/measures required to protect water quality. A qualified scientist may be required to identify project modifications and mitigation measures to avoid impacts to listed aquatic or wetland species (ref: Attachment A, Part II.B.1.a-d, pages 6-8); and (3) The Discharger must certify that the timber harvest activities will comply with all general conditions, eligibility criteria and specific conditions for Waiver Category 2 (ref: Attachment A, Part I.B.1-8, pages 3-4, and Part II.B, pages 6-8).

For CDF-accepted notices eligible under Category 2, all identified additional management practices or water quality protective measures (beyond the requirements of the current Forest Practice Rules), and any modifications recommended by a qualified scientist must be included on the Waiver Addendum form. The Waiver Addendum form shall be submitted with the Exemption or Emergency notice and sent directly to the Regional Water Board.

Category 3: Timber Harvest Activities On Nonfederal Lands That Receive Discretionary Approval From CDF And For Which Regional Water Board Staff Has Fully Participated In The Interdisciplinary Review Team Process

To qualify for this category: (1) A THP, NTMP, PTHP or other plan or amendment must be approved by CDF, and a copy received by the Regional Water Board; and (2) Regional Water Board staff must have participated in a pre-harvest inspection; and (3) all identified additional management practices and/or water quality protective measures must be incorporated into the plan or amendment (ref: Attachment A, Part II.C.1.a-d, page 8); and (4) The Discharger must certify that the timber harvest activities will comply with all general conditions, eligibility criteria and specific conditions for Waiver Category 3 (ref: Attachment A, Part I.B.1-8, pages 3-4, and Part II.C, pages 8-9).

For THPs, NTMPs, and other plans eligible under Category 3, all identified additional management practices or water quality protective measures resulting from Regional Water Board participation in the CDF review process must be included in the approved plan.

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Category 4: Timber Harvest Activities On Nonfederal Lands That Receive Discretionary Approval From CDF For Which Regional Water Board Staff Has Not Fully Participated In The Interdisciplinary Review Team Process And Which Are Not Eligible For A Waiver Under Category 1

To qualify for this category: (1) A THP, NTMP, PTHP or other plan or amendment must be approved by CDF, and a copy received by the Regional Water Board; and (2) A Registered Professional Forester must have conducted a comprehensive field review and incorporated any additional management practices and/or water quality protective measures within the CDF-approved plan or amendment (ref: Attachment A, Part II.D.1.a-c, pages 9-11); and (3) The Discharger must certify that the timber harvest activities will comply with all general conditions, eligibility criteria and specific conditions for Waiver Category 4 (ref: Attachment A, Part I.B.1-8, pages 3-4, and Part II.D, pages 9-11).

For THPs, NTMPs, and other plans under Category 4, all identified additional management practices or water quality protective measures (beyond the Requirements of the current Forest Practice Rules), must be included and highlighted (in a reproducible form on black and white copies) in the CDF-approved plan. Any additional signed technical reports from qualified professionals must be included as addenda to the Waiver Certification Notice. For plans approved prior to 30 January 2003, the additions/measures may be listed separately on the Waiver Addendum form, stapled to the completed Certification Notice and sent directly to the Regional Water Board.

5. Certification: The landowner must sign and date the Certification Notice. If multiple landowners, attach additional pages as necessary.

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The completed Waiver Certification Notice shall be submitted in accordance with the instructions above for each waiver category. For timber harvest activities filed in **Tehama, Shasta, Lassen, Glenn, Butte, Siskiyou, Yuba, Sierra, Modoc or Plumas Counties**, submit the Waiver Certification Notice and any other required documents to the Redding office:

**Central Valley Regional Water Quality Control Board
Attn: Timber Harvest
415 Knollcrest Dr., Suite 100
Redding, CA 96002**

For timber harvest activities filed in **Lake, Napa, Nevada, Placer, El Dorado, Alpine, Amador, Calaveras, and Tuolumne Counties**, submit the Waiver Certification Notice and any other required documents to the Sacramento office:

**Central Valley Regional Water Quality Control Board
Attn: Timber Harvest
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114**

For timber harvest activities filed in **Fresno, Kern, Madera, Mariposa or Tulare Counties**, submit the Waiver Certification Notice and any other required documents to the Fresno office:

**Central Valley Regional Water Quality Control Board
Attn: Timber Harvest
1685 "E" Street
Fresno, CA 93706-2007**

The following Regional Water Board staff may be contacted for questions:

	Contact:	Phone	Email
<u>Redding Office</u>	Jim Pedri	(530) 224-4845	
	Angela Wilson	(530) 224-4856	awilson@waterboards.ca.gov
	Drew Coe	(530)-224-2437	dbrcoe@waterboards.ca.gov
	Debra Hallis	(530)-224-4801	dhallis@waterboards.ca.gov
	Matt Boone	(530)-224-4849	mboone@waterboards.ca.gov
<u>Sacramento Office</u>	Sue McConnell	(916) 464-4798	smcconnell@waterboards.ca.gov
	Marty Hartzell	(916) 464-4630	mhartzell@waterboards.ca.gov
	Chris Cochrane	(916) 464-4820	cmcochrane@waterboards.ca.gov
<u>Fresno Office</u>	Kerry Elliott	(559) 445-6126	kwelliott@waterboards.ca.gov
	Brent Vanderburgh	(559) 445-5910	bvanderburgh@waterboards.ca.gov